

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated July 22, 2011. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-9, 11-13 and 15 are pending in the Application. Claims 1 and 13 are independent claims.

The Final Office Action points to the use of the term "means" in claims 1, 5-6, 8 and 10 as invoking 35 U.S.C. 112, paragraph six. In the interest of clarifying the claims, the claims are amended to remove the pointed out instances of this term.

In the Final Office Action claims 1-9, 11-13 and 15 are rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2003/0014690 to Frimout ("Frimout") in view of U.S. Patent No. 6,064,380 to Swenson et al. ("Swenson").

Frimout is directed to a recording and reproducing device that reads from and writes to discs. Interface 15 (see, Frimout, paragraph [0023]) is described as a SCSI interface, which does not disclose "a receiver for receiving a source signal having a program and associated first information including a continuous timeline running for the duration of the program in the source signal", as recited in claim 1, for example. Further, with regard to Frimout, paragraph [0035], Frimout discusses recovery from a power failure. Accordingly, it correctly reuses pointers from memory so as not to loose continuity. However, this description is contrary to and fails to relate to "the recording signal ... including a recording discontinuity with respect to the source signal", as recited in claim 1, for example.

It is undisputed that Frimout fails to disclose generating "second time information". Swenson is cited to provide that which is admitted missing from Frimout. However, it is respectfully submitted that the reliance on Swenson is misplaced. The claims disclose timelines, i.e., "first information including a continuous timeline running for the duration of the program" and "second information including a non-continuous timeline having a time discontinuity corresponding to the recording discontinuity for the recording signal", as recited in claim 1, for example. It is respectfully submitted that Swenson does not disclose counterparts to the original continuous timeline and the newly recorded non-continuous timeline as recited in the claims.

It is respectfully submitted that the claims are not anticipated or made obvious by the teachings of the presented prior art references. For example, Frimout in view of Swenson does not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a receiver for receiving a source signal having a program and associated first information including a continuous timeline running for the duration of the program in the source signal; a recording controller for generating a recording signal from the source signal, the recording signal comprising at least a portion of the source signal including a recording discontinuity with respect to the source signal; a time processor for generating second information including a non-continuous timeline having a time discontinuity corresponding to the recording discontinuity for the recording signal in response to continuous timeline in the first information and the recording discontinuity", as recited in claim 1, and as similarly recited in claims 13 and 15

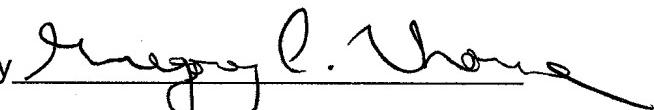
Based on the foregoing, the Applicants respectfully submit that the independent claims

are patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from one of the independent claims and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position, or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections, and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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